IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 410 OF 2006

Kanyaiyalal Bihari Gupta.. .... .. Applicant.

Versus

The State of Maharashtra. .... Respondent.

Mr. M. K. Nesari for the Applicant.

Ms. S.D.Shinde, APP for the State.

CORAM : V. M. KANADE, J.

DATED : 15TH FEBRUARY, 2006.

P.C.:

Heard learned Counsel for the Applicant and the learned APP for the State.

2. The Applicant is seeking bail. The Applicant was arrested on the allegation that he has assaulted his wife. Charge sheet has been filed. Learned Counsel for the Applicant submits that the Applicant had in fact taken his wife to the hospital after he returned home and found that she was lying unconscious. Learned Counsel for the Applicant further submitted that the Applicant also informed the Police about the

said incident. Learned Counsel submitted that the Applicant has been falsely implicated. It is an admitted position that the charge sheet has been filed in this case and further it is admitted that the Applicant himself had taken his wife to the hospital. The trial is not likely to commence for some time.

3. In view of the above, the Applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The Applicant shall, however, give at least one local surety. The Applicant shall report to the Shanti Nagar Police Station, Bhiwandi, Dist. Thane once in a week till the disposal of the trial.

4. The Application is disposed of in the terms aforesaid.

Sd/-

(V. M. KANADE, J.)